

Objection to Claim 23

As requested by the Examiner, Applicants have herein amended claim 23 to delete “comprising” and to insert therein “comprises” to correct informalities. Applicants believe claim 23 is now in correct form and respectfully requests the objection to claim 23 be withdrawn.

Claim Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 2-5, 23 and 27-28 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Specifically, the Examiner indicates that the use of the word “type” extends the scope of an otherwise definite expression such that it renders the expression indefinite. Applicants have herein amended claims 2-5, 23 and 27-28 to delete the word “type” from the claims, and respectfully requests the rejection of such claims under § 112 be withdrawn.

Rejection of Claim 1 Under 35 U.S.C. § 103(a)

Claims 1-6 and 23-29 are rejected under 35 U.S.C. § 102(a) as being unpatentable over U.S. 4,479,984 to Levy et al. (“Levy”) in view of U.S. Patent No. 5,700,417 to Fernyhough et al. (“Fernyhough”). Applicants respectfully traverse the rejection of claims 1-6 and 23-29 as being unpatentable over Levy in view of Fernyhough for the following reasons.

Claim 1 has been amended herein and is directed to a reinforcement assembly for optical cables comprising a compact fiber reinforced rod comprising: (i) a plurality of elongated fiber members encased in a matrix of a UV cured vinyl ester resin material and (ii) an outer topcoat layer substantially surrounding said matrix; and an upjacket substantially surrounding said compact fiber reinforced rod.

Applicants respectfully submit that Levy alone or in combination with Fernyhough does not disclose, teach or suggest a reinforcement assembly for optical cables comprising a compact fiber reinforced rod and an upjacket substantially surrounding said compact fiber reinforced rod. In addition, Fernyhough does not provide a disclosure, teaching or suggestion

that would motivate one of ordinary skill in the art to modify the plurality of multifilament bundles taught by Levy to provide a reinforcement assembly comprising a compact fiber reinforced rod and an upjacket surrounding said compact fiber reinforced rod.

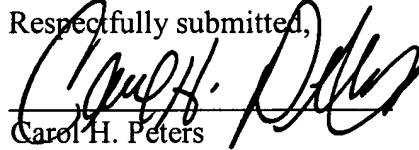
Thus, Applicants respectfully submit that claim 1 is patentably distinguishable from Levy in view of Fernyhough. Accordingly, the rejection of claim 1 under 35 U.S.C. § 103(a) should be withdrawn.

Claims 2-6 and 23-28 5 depend from claim 1 and are patentable for at least the same reasons. The rejection of claim 2-5 under 35 U.S.C. § 103(a), therefore, should be withdrawn.

Patentability of Claims 30-32

Applicants have added herein claims 30-32 directed to the outer topcoat layer. Neither Levy or Fernyhough, alone or in combination, disclose, teach or suggest an outer topcoat layer of an compact fiber reinforced rod of a reinforcement assembly as claimed in claim 1. Claims 30-32 depend from claim 1, and, therefore, are patentably distinguishable from the cited combination of references.

Based on the foregoing amendments and discussion, the present application is believed to be in condition for allowance, which action is respectfully requested. Should the Examining Attorney have any questions concerning this response, she is invited to telephone the undersigned at the number provided.

Respectfully submitted,

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